



Coddling dictators is Annan's bad habit

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The recent massacres in Qubair and Houla should clarify the obvious about Kofi Annan and his plan for Syria. Not only has the United Nations-Arab League envoy failed in his mission, which should persuade him to exit the stage, the three-month delay occasioned by his project has destroyed much of what Syria's peaceful revolution managed to achieve. More fundamentally, this outcome only underlines the need for the U.N. to stop seeking out compromises with dictators.

Pusillanimity began early in Annan's career. The man emerged from obscurity thanks to his silence on the genocide in Rwanda in 1994. At the time he was the director of U.N. peacekeeping operations, and effectively allowed the [killing of the Tutsis to proceed unimpeded](#), despite the warnings of General Romeo Dallaire and others on the ground, and an explicit fax by Dallaire that Annan suppressed.

In 1998, as U.N. secretary-general, [Annan saved Saddam Hussein](#) from isolation and impending punishment for the Iraqi leader's sustained breaches of international law. This left the day of reckoning to the costlier U.S. invasion of Iraq in 2003. Meanwhile, Annan continued to deal with Saddam over the flawed oil-for-food program. An Annan appointee, [Benon Sevan, as well as his own son Kojo](#), were accused by the Volcker enquiry of having abused the program for personal gain.

Annan also undermined a resolution of the Cyprus crisis by pulling the rug out from under a carefully calibrated European Union policy. The EU had developed a scheme under which only a unified Cyprus could join the union. Yet Annan's approach ended up permitting EU membership for the Greek half Cyprus, which had rejected the secretary-general's plan, while Turkish Cyprus, which had supported his plan, was left out of the European Union.

Last but not least, Annan's botched intervention in Kenya in 2008 saved Mwai Kibaki, a president [who had rigged the elections and was considered responsible for the massacres that followed by a Kenyan panel he had himself appointed](#). This represented another of Annan's actions that allowed a dictator to transform his country into a killing field just to remain in power. Kibaki is still president of Kenya.

In Syria, the writing was on the wall on from day one. Annan's six-point plan was doubly flawed. Its first shortcoming was that it reversed an Arab League plan calling for the removal of President Bashar Assad. And, second, it ignored months of reports by U.N. agencies and human rights organizations pointing to the criminal responsibility of those behind the massacres of civilians in Syria – first and foremost the Syrian president.

These realities appeared nowhere in Annan's six points. While U.N. Secretary-General Ban Ki-moon has generally been principled during the Middle East revolutions that began in 2011, the

bad luck for the Syrians has been to see their destiny entrusted to a man with a heavy past of criminal irresponsibility. In effect, Annan discarded a central achievement of the Syrian revolution and replaced it with a call for a dialogue between a killer and his victims, on the killer's terms.

Annan has waxed lyrical in the past about international responsibility for crimes against humanity. And yet everything about his Syria plan has been about avoiding placing the responsibility on Assad and his acolytes for the massive crimes they have committed in the past 15 months. To that we can add Assad's gruesome decade-long track record of torture and killing in Syria, Lebanon and Iraq.

When one thinks back to Annan's grandiloquent backing for the International Criminal Court when he was U.N. secretary-general, it is all the more infuriating to observe his slow dance of complicity with mass murderers. What to make of Annan's past statements, such as "Saddam is a man I can do business with," or his high-profile recent luncheon with Bashar Assad at the very moment when Syria's children were being killed and tortured from Deraa to Houla?

One hears constantly that despite the obvious breakdown of the Annan plan for Syria, there is no alternative. With a number of distinguished colleagues, including one of the most prominent public figures in Syria, Sadeq Jalal al-Azm, I participated in drafting [a comprehensive proposal of what could be done under international law](#). It calls on willing governments in the Friends of Syria coalition to regard Assad as a legal and diplomatic "[dead man walking](#)" (to use the words of the American official Frederic Hof), and to sever all ties with the Syrian regime while also extending multileveled (though conditional) support to the Syrian opposition as the provisional government of Syria. Military intervention would remain a last resort.

The expelling of Syrian diplomats after the carnage in Houla was a manifestation of such a policy. But those who took such an action must make clear, further, that there is no solution in Syria without Assad's removal and his trial according to international standards.

There is no harm for the U.N. to keep its military observers inside Syria, in defense of Assad's victims, but with a different mandate and a different leadership altogether. This would be justified by the Responsibility to Protect doctrine, which Kofi Annan has spent a long time advocating, and so little time practicing.

Chibli Mallat is a lawyer and law professor. Together with leading personalities in the Right to Nonviolence project, he devised "[A Strategy for Syria Under International Law](#)," published by the Harvard International Law Journal in March 2012. He wrote this commentary for **THE DAILY STAR**.

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